

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SYMANTEC CORPORATION, a Delaware
Corporation,

Plaintiff,

v.

JOHNS CREEK SOFTWARE, INC., a
Georgia Corporation, STEPHEN
CHEATHAM, an individual, and DOES 1-10,

Defendants.

CASE NO. CV-11-03146-WHA

~~PROPOSED~~ ORDER REGARDING
DISCOVERY HEARING

Based on a discovery letter brief dated June 22, 2012, submitted by plaintiff Symantec Corporation ("Symantec") (Dkt #107), the Court held a hearing on June 29, 2012, and ORDERS as follows:

1. Defendant Stephen Cheatham is ordered to appear for the continuation of his deposition on Thursday, July 5, 2012 at 10:30 a.m. at Latham & Watkins LLP, 600 West Broadway, Suite 1800, San Diego, California 92101.

2. Defendants Johns Creek Software, Inc. and Stephen Cheatham, and their attorneys, are ordered to pay all of the fees and expenses incurred by Symantec related to the June 22, 2012 letter brief and June 29, 2012 hearing. Defendants shall provide a check made payable to "Symantec Corporation" in the amount of \$9,463.74, to Jennifer Barry, Latham &

Watkins LLP, 600 West Broadway, Suite 1800, San Diego, California 92101, within ten (10) days of the date of this Order.

3. Symantec is excused from any obligation to produce witnesses for deposition, or to provide dates that its witnesses are available for deposition, until Defendants Johns Creek Software, Inc. and Stephen Cheatham, and their attorneys, have fully complied with the terms of this Order.

IT IS SO ORDERED.

Dated: July 9, 2012.



Honorable William H. Alsup
United States District Judge

Submitted by:

/s/ Jennifer L. Barry

Perry J. Viscounty
Jennifer L. Barry
LATHAM & WATKINS LLP

Attorneys for Plaintiff
SYMANTEC CORPORATION

Approved as to form by:

/s/ Howard Neu

Curtis E. Smolar
James E. Doroshow
FOX ROTHSCHILD LLP

Howard Neu
LAW OFFICES OF HOWARD M. NEU, PA

Roger I. Teich

Attorneys for Defendants
JOHNS CREEK SOFTWARE, INC.
AND STEPHEN CHEATHAM

ATTESTATION: I certify that I obtained concurrence in the filing of this document from all parties whose electronic signatures appear above. /s/ Jennifer L. Barry